ENVIRONMENTAL ASSESSMENT

Building 88 Interior Demolition

Pearl Harbor Naval Complex
O‘ahu, Hawai‘i

Commander, Navy Region Hawaii
June 2005

REPORT DOCUMENTATION PAGE

Form Approved
OMB No. 0704-0188

PLEASE DO NOT RETURN YOUR FORM TO THE ABOVE ADDRESS.

1. REPORT DATE *(DD-MM-YYYY)*	2. REPORT TYPE	3. DATES COVERED *(From - To)*
June 2005	Environmental Assessment	

4. TITLE AND SUBTITLE

Environmental Assessment for Building 88 Interior Demolition, Pearl Harbor Naval Complex, Oahu, Hawaii

5a. CONTRACT NUMBER

5b. GRANT NUMBER

5c. PROGRAM ELEMENT NUMBER

6. AUTHOR(S)

Naval Facilities Engineering Command, Hawaii
400 Marshall Road
Pearl Harbor, HI 96860-3139

5d. PROJECT NUMBER

5e. TASK NUMBER

5f. WORK UNIT NUMBER

7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES)

8. PERFORMING ORGANIZATION REPORT NUMBER

9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES)

10. SPONSOR/MONITOR'S ACRONYM(S)

11. SPONSOR/MONITOR'S REPORT NUMBER(S)

12. DISTRIBUTION/AVAILABILITY STATEMENT

Unclassified, unlimited

13. SUPPLEMENTARY NOTES

14. ABSTRACT

Commander, Navy Region Hawaii (CNRH) proposes to demolish 56, 25,000-gallon steel aboveground storage tanks (ASTs) and ancillary equipment from the interior of Building 88, a former lubricating oil storage facility, and the related exposed piping underneath Mike wharves M3 and M4 at Merry Point, Pearl Harbor Naval Complex. The Proposed Action would have an adverse effect on Building 88, a historic property, due to the removal of the original ASTs and ancillary equipment. CNRH has complied with Sections 106 and 110(f) of the National Historic Preservation Act by affording the Advisory Council on Historic Preservation, the State Historic Preservation Officer, the Secretary of the Interior, and other parties the opportunity to consult on the proposed undertaking, and by executing a Memorandum of Agreement that stipulates measures to minimize and mitigate potential adverse effects. Based on information gathered during preparation of the Environmental Assessment, the Navy finds that the Proposed Action will not significantly impact human health or the environment, and an Environmental Impact Statement is not required.

15. SUBJECT TERMS

16. SECURITY CLASSIFICATION OF:			17. LIMITATION OF ABSTRACT	18. NUMBER OF PAGES	19a. NAME OF RESPONSIBLE PERSON
a. REPORT	b. ABSTRACT	c. THIS PAGE			Mr. Aaron Poentis
					19b. TELEPHONE NUMBER *(Include area code)* (808) 472-1385

INSTRUCTIONS FOR COMPLETING SF 298

1. REPORT DATE. Full publication date, including day, month, if available. Must cite at least the year and be Year 2000 compliant, e.g. 30-06-1998; xx-06-1998; xx-xx-1998.

2. REPORT TYPE. State the type of report, such as final, technical, interim, memorandum, master's thesis, progress, quarterly, research, special, group study, etc.

3. DATES COVERED. Indicate the time during which the work was performed and the report was written, e.g., Jun 1997 - Jun 1998; 1-10 Jun 1996; May - Nov 1998; Nov 1998.

4. TITLE. Enter title and subtitle with volume number and part number, if applicable. On classified documents, enter the title classification in parentheses.

5a. CONTRACT NUMBER. Enter all contract numbers as they appear in the report, e.g. F33615-86-C-5169.

5b. GRANT NUMBER. Enter all grant numbers as they appear in the report, e.g. AFOSR-82-1234.

5c. PROGRAM ELEMENT NUMBER. Enter all program element numbers as they appear in the report, e.g. 61101A.

5d. PROJECT NUMBER. Enter all project numbers as they appear in the report, e.g. 1F665702D1257; ILIR.

5e. TASK NUMBER. Enter all task numbers as they appear in the report, e.g. 05; RF0330201; T4112.

5f. WORK UNIT NUMBER. Enter all work unit numbers as they appear in the report, e.g. 001; AFAPL30480105.

6. AUTHOR(S). Enter name(s) of person(s) responsible for writing the report, performing the research, or credited with the content of the report. The form of entry is the last name, first name, middle initial, and additional qualifiers separated by commas, e.g. Smith, Richard, J, Jr.

7. PERFORMING ORGANIZATION NAME(S) AND ADDRESS(ES). Self-explanatory.

8. PERFORMING ORGANIZATION REPORT NUMBER. Enter all unique alphanumeric report numbers assigned by the performing organization, e.g. BRL-1234; AFWL-TR-85-4017-Vol-21-PT-2.

9. SPONSORING/MONITORING AGENCY NAME(S) AND ADDRESS(ES). Enter the name and address of the organization(s) financially responsible for and monitoring the work.

10. SPONSOR/MONITOR'S ACRONYM(S). Enter, if available, e.g. BRL, ARDEC, NADC.

11. SPONSOR/MONITOR'S REPORT NUMBER(S). Enter report number as assigned by the sponsoring/ monitoring agency, if available, e.g. BRL-TR-829; -215.

12. DISTRIBUTION/AVAILABILITY STATEMENT. Use agency-mandated availability statements to indicate the public availability or distribution limitations of the report. If additional limitations/ restrictions or special markings are indicated, follow agency authorization procedures, e.g. RD/FRD, PROPIN, ITAR, etc. Include copyright information.

13. SUPPLEMENTARY NOTES. Enter information not included elsewhere such as: prepared in cooperation with; translation of; report supersedes; old edition number, etc.

14. ABSTRACT. A brief (approximately 200 words) factual summary of the most significant information.

15. SUBJECT TERMS. Key words or phrases identifying major concepts in the report.

16. SECURITY CLASSIFICATION. Enter security classification in accordance with security classification regulations, e.g. U, C, S, etc. If this form contains classified information, stamp classification level on the top and bottom of this page.

17. LIMITATION OF ABSTRACT. This block must be completed to assign a distribution limitation to the abstract. Enter UU (Unclassified Unlimited) or SAR (Same as Report). An entry in this block is necessary if the abstract is to be limited.

DEPARTMENT OF DEFENSE
DEPARTMENT OF THE NAVY

FINDING OF NO SIGNIFICANT IMPACT (FONSI) FOR ENVIRONMENTAL ASSESSMENT (EA) FOR BUILDING 88 INTERIOR DEMOLITION, PEARL HARBOR NAVAL COMPLEX O'AHU, HAWAI'I.

Pursuant to the Council on Environmental Quality Regulations (40 Code of Federal Regulations Parts 1500-1508) implementing the National Environmental Policy Act, and Chief of Naval Operations Instruction 5090.1B, the Department of the Navy (Navy) gives notice that an EA has been prepared and an Environmental Impact Statement is not required for Building 88 Interior Demolition at Pearl Harbor Naval Complex (PHNC), O'ahu, Hawai'i.

Proposed Action: Commander, Navy Region Hawaii (CNRH) proposes to demolish and remove fifty-six (56), 25,000-gallon (94,600-liter) steel aboveground storage tanks (ASTs) and ancillary equipment from the interior of Building 88, a former lubricating oil storage facility, and the related exposed piping underneath Mike wharves M3 and M4 at Merry Point, PHNC.

Existing Conditions: The project area is at Merry Point on the PHNC waterfront. Building 88 was built in 1923 to provide storage for a range of lubricants prior to standardization of machinery and lubricant supply. CNRH and Fleet and Industrial Supply Center, Pearl Harbor no longer have any use for this building, or the related piping at Mike Wharves M3 and M4, for lubricant storage and distribution. The Proposed Action would implement CNRH's policy to reduce shore infrastructure costs and demolish underutilized facilities, and will permit productive reuse of the existing building.

Alternatives Analyzed: Alternatives considered include No Action and Complete Demolition of Building 88. The No Action Alternative would not satisfy the purpose and need of the action, but provides a benchmark to compare the magnitude of environmental effects of the alternatives. The Complete Demolition Alternative would satisfy the purpose and need but would prevent productive reuse of the building.

Environmental Effects: The Proposed Action would have an adverse effect on Building 88, a historic property, due to the removal of the original ASTs and ancillary equipment. It would have no effect on Mike Wharves. CNRH has complied with Sections 106 and 110(f) of the National Historic Preservation Act by affording the Advisory Council on Historic Preservation, the State Historic Preservation Officer, the Secretary of the Interior, and other parties the opportunity to consult on the proposed undertaking, and by executing a *Memorandum of Agreement* that stipulates measures to minimize and mitigate potential adverse effects. The Proposed Action would not result in significant impacts on the following resources: soils, topography, groundwater, air quality, noise, traffic, marine and terrestrial flora and fauna, utilities, drainage, hazardous and regulated materials, flood hazard, socio-economic factors, and land use compatibility. The Proposed Action would not create environmental health and safety risks that may disproportionately affect children or minority or disadvantaged populations. The Proposed Action would not have reasonably foreseeable direct or indirect effects on any coastal use or resource of the State's coastal zone.

Finding: Based on information gathered during preparation of the EA, the Navy finds that the proposed Building 88 Interior Demolition will not significantly impact human health or the environment.

The EA prepared by the Navy addressing this Proposed Action is on file and interested parties may obtain a copy from: Naval Facilities Engineering Command, Hawaii, 258 Makalapa Drive, Building 223, Pearl Harbor, Hawai'i 96860 (Attention: Mr. Andy D. Huang, EV3AH), telephone

(808) 474-3300. A limited number of copies on compact disk are available to fill single copy requests.

15 Jul 2005

Date

C.E. Weaver
Rear Admiral, U.S. Navy
Commander, Navy Installations Command

ENVIRONMENTAL ASSESSMENT

Building 88 Interior Demolition

Pearl Harbor Naval Complex
O‘ahu, Hawai‘i

Commander, Navy Region Hawaii
June 2005

COVER SHEET

Proposed Action	Demolish and remove fifty-six (56), 25,000-gallon (94,600-liter) steel aboveground storage tanks (ASTs) and ancillary equipment from the interior of Building 88, and related exposed piping underneath Mike Wharves at Merry Point, Pearl Harbor Naval Complex (PHNC), O'ahu, Hawai'i.
Type of Document	Environmental Assessment
Lead Agency	Commander, Navy Region Hawaii (CNRH)
For Further Information	Mr. Andy D. Huang, EV3AH Naval Facilities Engineering Command, Hawaii 258 Makalapa Drive, Suite 100 Pearl Harbor, HI 96860 Telephone: 474-3300

Summary

This Environmental Assessment was prepared in accordance with the National Environmental Policy Act of 1969 (42 United States Code §4321, et seq.), as implemented by the Council on Environmental Quality regulations (40 Code of Federal Regulations §1500-1508) and the Office of the Chief of Naval Operations Instruction 5090.1B CH-4, Environmental and Natural Resources Program Manual of June 4, 2003.

CNRH proposes to demolish and remove fifty-six (56), 25,000-gallon (94,600-liter) steel ASTs and ancillary equipment from the interior of Building 88, a former lubricating oil storage facility, and the related exposed piping underneath Mike Wharves M3 and M4 at Merry Point, PHNC. Building 88 was constructed in 1923 to provide storage for a range of lubricants prior to standardization of machinery and lubricant supply. CNRH and Fleet and Industrial Supply Center, Pearl Harbor no longer have any use for this building as a lubricant storage facility and the related piping at Mike Wharves M3 and M4.

The purpose of and need for the action is to implement CNRH's policy to reduce shore infrastructure costs and demolish underutilized facilities. Alternatives considered include No Action and Complete Demolition of Building 88. The No Action Alternative would not satisfy the purpose and need of the action, but provides a benchmark to compare the magnitude of environmental effects of the alternatives. The Complete Demolition Alternative would satisfy the purpose and need but would prevent productive reuse of the building.

Building 88 is a Historic Category II facility and Mike Wharves M3 and M4 are listed as Category IV and III, respectively, and all are located within the boundaries of the Pearl Harbor National Historic Landmark. They are not located within any of the historic management zones identified in the PHNC Integrated Cultural Resources Management Plan (DoD, 2002). The Proposed Action would have an adverse effect on the historic integrity of Building 88 due to the removal of the original ASTs and ancillary equipment, and would have no effect on Mike Wharves. The Complete Demolition Alternative would have an adverse effect by demolition of the entire building. CNRH has complied with Sections 106 and 110(f) of the National Historic Preservation Act by affording the Advisory Council on Historic Preservation, the State Historic Preservation Officer (SHPO), and other parties the opportunity to comment on the Proposed Action. CNRH and SHPO executed a Memorandum of Agreement that stipulates measures to minimize and mitigate potential adverse effects.

The Proposed Action would not result in significant impacts on the following resources: soils, topography, groundwater, air quality, noise, traffic, marine and terrestrial flora and fauna, utilities, drainage, hazardous and regulated materials, flood hazard, socio-economic factors, and land use compatibility. The Proposed Action would not create environmental health and safety risks that may disproportionately affect children or minority or disadvantaged populations. However a Health and Safety Plan would be needed by the contractor due to the need to remove existing hazardous and regulated materials. The Proposed Action would not have reasonably foreseeable direct or indirect effects on any coastal use or resource of the State's coastal zone.

TABLE OF CONTENTS

LIST OF FIGURES

LIST OF TABLES

APPENDICES

ACRONYMS AND ABBREVIATIONS

ACHP	Advisory Council on Historic Preservation
ACM	asbestos containing materials
ASTs	aboveground storage tanks
BMPs	Best Management Practices
CFR	Code of Federal Regulations
CNRH	Commander, Navy Region Hawaii
CRMP	Cultural Resources Management Plan
DoH	State of Hawai‘i Department of Health
DoN	Department of the Navy
EA	Environmental Assessment
FEMA	Federal Emergency Management Agency
FFD	Federal Fire Department, Navy Region Hawaii
FISC	Fleet and Industrial Supply Center
ft	foot, feet
gal.	gallon, gallons
HABS/HAER	Historic American Buildings Survey / Historic American Engineering Record
ICRMP	Integrated Cultural Resources Management Plan
L	liter, liters
LBP	lead-based paint
LRLUP	RSIP Overview Long Range Land Use Plan
m	meter, meters
MOA	Memorandum of Agreement
MW	monitoring well (shown numbered, as MW114)
NAVFAC	Naval Facilities Engineering Command
NHL	National Historic Landmarks
NHPA	National Historic Preservation Act
NRHP	National Register of Historic Places
PCBs	polychlorinated biphenyls
PAPTC	Pan-American Petroleum and Transport Company
PHNC	Pearl Harbor Naval Complex
PHNHL	Pearl Harbor National Historic Landmark
POL	petroleum, oils, and lubricants
ppm	parts per million
RSIP	CNRH Regional Shore Infrastructure Plan
SHPO	State Historic Preservation Officer
USC	United States Code
YMCA	Young Men’s Christian Association

1.0 PURPOSE AND NEED FOR ACTION

1.1 Summary of Proposed Action

Commander, Navy Region Hawaii (CNRH) proposes to demolish and remove fifty-six (56), 25,000-gallon (gal.) (94,600-liter (L)) steel aboveground storage tanks (ASTs) and ancillary equipment from the interior of Building 88, a former lubricating oil storage facility, and associated exposed piping underneath Mike Wharves M3 and M4. The project area is shown on Figures 1 and 2. Photographs in Figures 3 and 4 show Building 88 in its present condition.

1.2 Purpose and Need

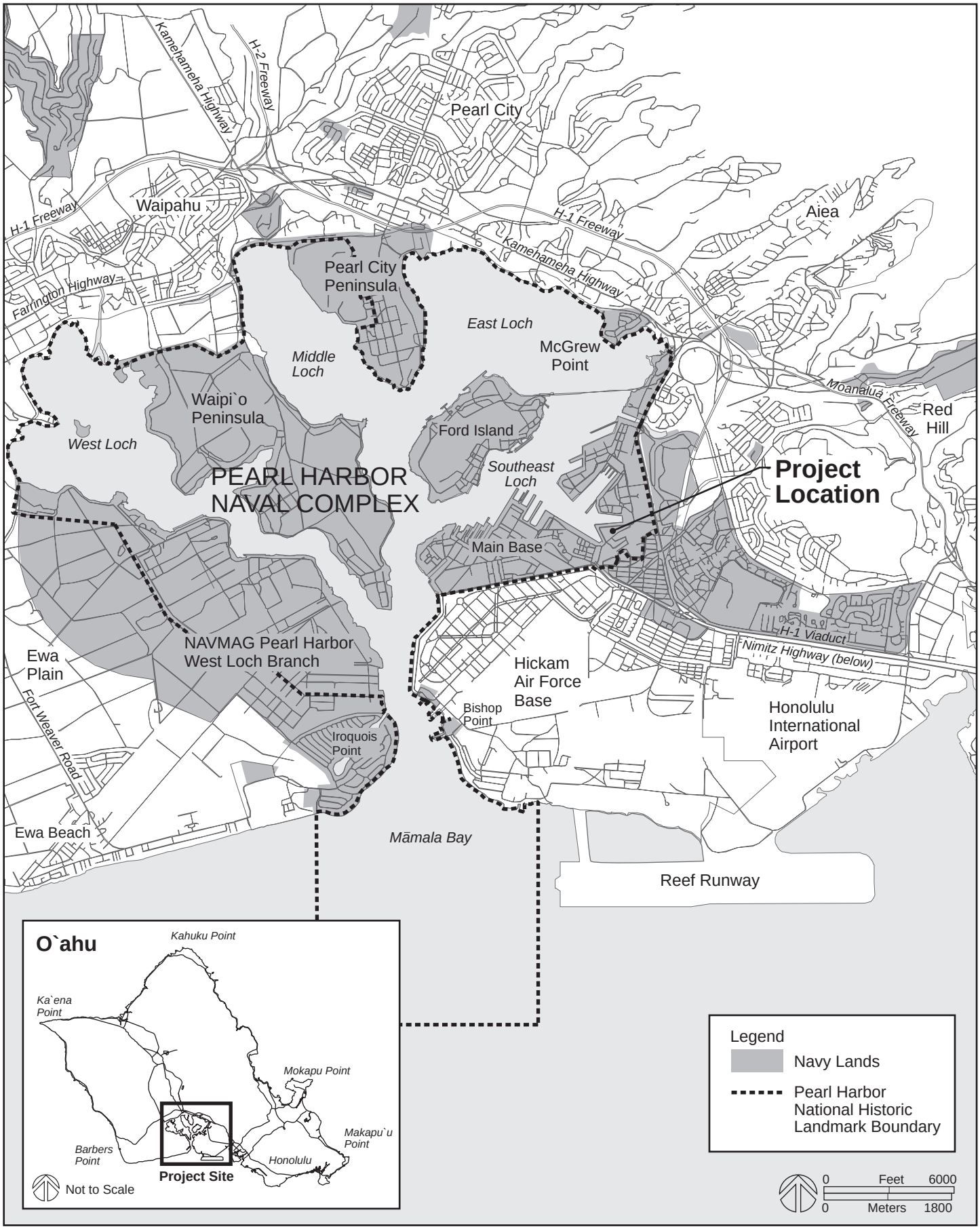
The purpose of and need for the action is to implement CNRH's policy as outlined in the Regional Shore Infrastructure Plan (RSIP) Overview (Department of the Navy (DoN), November 2002), to reduce shore infrastructure costs and demolish underutilized facilities. CNRH and Fleet and Industrial Supply Center, Pearl Harbor (FISC Pearl) no longer have any use for Building 88 as a lubricant storage facility, or the associated external piping at Mike Wharves M3 and M4. The Proposed Action would demolish the interior of Building 88 and make it available for productive reuse in the future.

1.3 Background

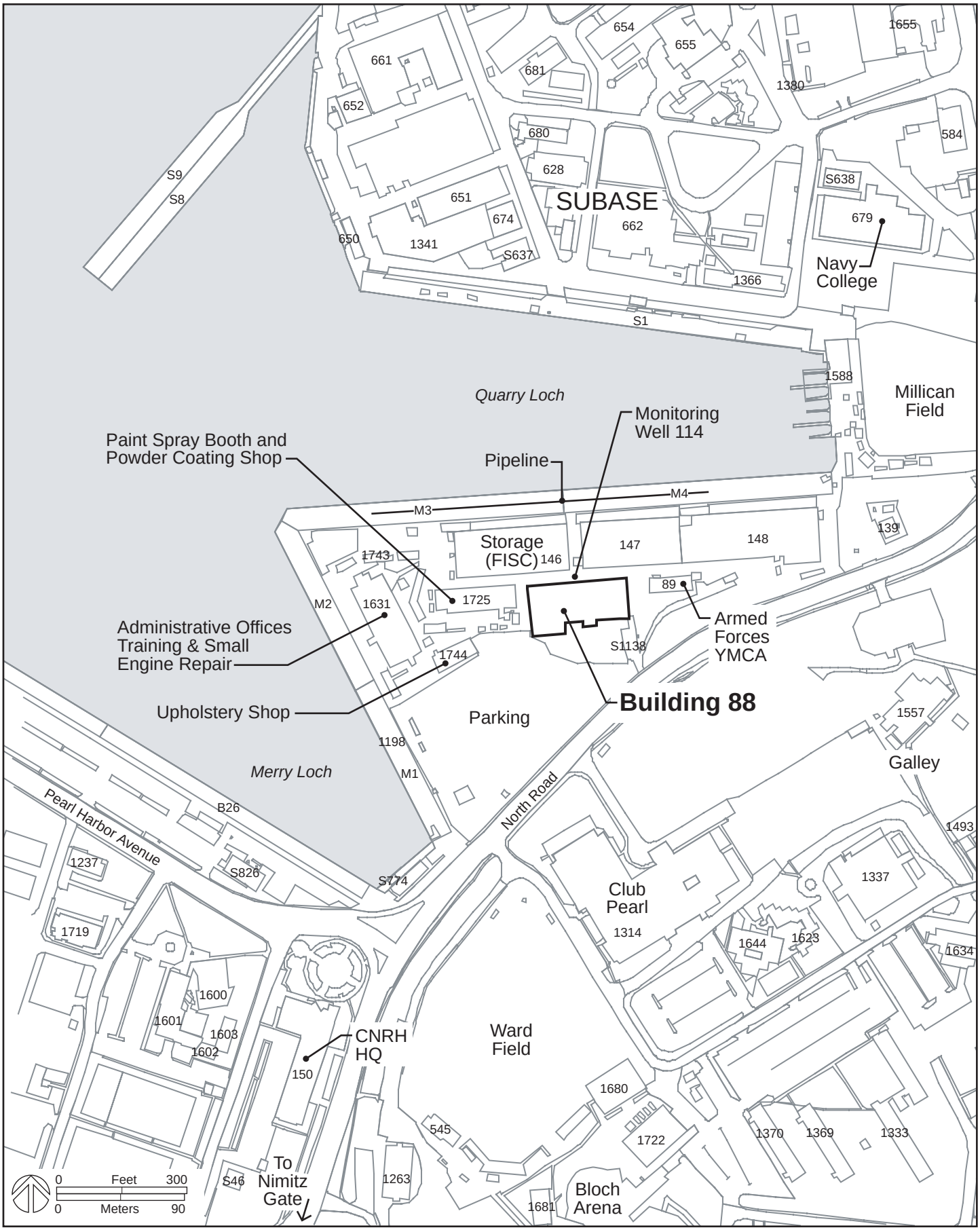
Building 88 is a 220 by 109-foot (ft) (67.1 by 33.2-meter (m)), 38 ft (11.6 m) high steel-framed building, located on Merry Point along the western side of North Road within the Pearl Harbor Naval Complex (PHNC).

The building features corrugated Transite wall siding and precast concrete panel roofing, a low-pitch gable roof with overhanging eaves, metal-sash windows, and metal skylights in the roof. The building was constructed in 1923 to house fifty-six (56), 25,000-gal. (94,600 L) steel ASTs with a total storage volume of 1.4 million gal. (5.3 million L). Tanks are stacked two-high, with two levels of elevated catwalks for service access. These tanks accommodated a range of lubricating oils in the era following World War I when there was little machinery standardization and the equipment in the facilities and ships at Pearl Harbor required many different lubricants. The building has two non-original additions: a wood-framed lean-to storage shed was constructed on a concrete slab along the western end of the south wall in 1942, and a drum loading platform was added the same year. The existing lean-to was rebuilt at some later time to increase its length and height, and to eliminate its front wall. The loading platform was also altered with a new roof and roof support structure.

Building 88 was used continuously as a lubricating oil storehouse for nearly 80 years, but modern-day industrial standardization of lubricants and the subsequent reduction in the number of lubricants required have rendered this facility obsolete, along with its associated piping at Mike Wharves M3 and M4. The lubricant storage function has been relocated, and the building is no longer required for its original purpose. The interior tanks are obsolete and constrain CNRH's ability to restore the inactive facility to productive use in the future.



Project Location Map **Figure 1**



Facility Location Map **Figure 2**

Loading platform addition at the middle of the south wall

North wall and doorway from northeast, looking west

South-facing exterior from southwest corner. Note the lean-to storage addition to the south wall

West wall and doorway from northwest corner, looking south across parking lot toward Club Pearl

West wall from southwest corner showing wall of lean-to storage addition

Site Photos - Exterior **Figure 3**

Interior walls, concrete walkways, handrail, electrical equipment and structural supports

Tanks, ladders, catwalk scaffolding, and exposed and underground pipe network

Valves, piping, concrete slabs and trenches, and metal cover plates

Detail showing tops of tanks, third-floor-level catwalks, upper-level windows, and precast concrete panel roofing

Site Photos - Interior **Figure 4**

1.4 Regulatory Overview

The following is a discussion of the Federal laws and consultations that may be relevant to implementing the Proposed Action.

1.4.1 National Environmental Policy Act

This Environmental Assessment (EA) was prepared in compliance with the National Environmental Policy Act of 1969, 42 United States Code (USC) §4321, as implemented by the Council on Environmental Quality regulations, 40 Code of Federal Regulations (CFR) Parts 1500-1508 and U.S. Navy guidelines, the Office of the Chief of Naval Operations Instruction 5090.1B CH-4 of 4 June 2003. This EA analyzes the potential impacts of the Proposed Action and reasonable alternatives and is intended to provide sufficient evidence and analysis for determining whether to prepare an Environmental Impact Statement or a Finding of No Significant Impact.

1.4.2 Historic Sites Act of 1935

The Historic Sites Act of 1935 (16 USC §461-467) establishes as a national policy the preservation of historic resources, including sites and buildings. This Act led to the establishment of the National Historic Landmarks (NHL) program and the National Park Service Historic American Building Survey/Historic American Engineering Records (HABS/HAER) program that establishes standards for architectural and engineering documentation.

1.4.3 National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966, as amended (16 USC §470), recognizes the Nation's historic heritage and establishes a national policy for the preservation of historic properties as well as the National Register of Historic Places (NRHP). Section 106 of the NHPA requires Federal agencies to take into account the effects of Federal undertakings on historic properties, such as the U.S. Naval Base Pearl Harbor National Historic Landmark (PHNHL), and affords the Advisory Council on Historic Preservation (ACHP) a reasonable opportunity to comment on such undertakings. The Section 106 process, as implemented by 36 CFR §800, provides for the identification and evaluation of historic properties, for determining the effects of undertakings on such properties, and for developing ways to resolve adverse effects through the process of consultation.

Under Section 110(a)(1) of the NHPA, CNRH shall use, to the maximum extent feasible, historic properties that are available prior to acquiring, constructing, or leasing buildings. Section 110(b) requires CNRH to ensure timely completion of appropriate records before a historic property is substantially altered or demolished and that such records are then deposited in the Library of Congress for future use and reference. Section 110(f) requires CNRH to undertake actions to minimize harm to the PHNHL and afford the ACHP the opportunity to comment on proposed undertakings within the NHL.

1.4.4 Coastal Zone Management Act

The purpose of the Coastal Zone Management Act of 1972, as amended (16 USC §1451 *et seq.*), is to encourage states to manage and conserve coastal areas as a unique, irreplaceable resource. Federal agency activity within or outside the coastal zone that affects any land or water use or natural resource of the coastal zone shall be carried out in a manner which is consistent to the maximum extent practicable with the enforceable policies of approved State management programs. However, land subject solely to the discretion of the Federal government, such as federally owned or leased property is excluded from the coastal zone. The proponent of the Navy action must determine whether the action would affect any coastal use or resource in a coastal state.

2.0 ALTERNATIVES INCLUDING THE PROPOSED ACTION

2.1 Introduction

This chapter presents a discussion of the Proposed Action and alternatives, and a summary of the environmental consequences of the alternatives.

2.2 Description of Alternatives

2.2.1 Proposed Action

The Proposed Action would include, but not be limited to the demolition, removal, and disposal of fifty-six (56) 25,000-gal. (94,600 L) steel ASTs inside Building 88, associated piping, and ancillary equipment, as well as the following:

- Interior walls, interior doors, frames, catwalks, and associated non-structural supports, ladders, and handrails
- Concrete slabs, trenches, and supports
- Capping of remaining underground piping at the building perimeter
- Termination of utilities (cut and cap lines)
- Removal and disposal of any hazardous materials associated with the demolition work including:
    - petroleum-contaminated soil
    - partial removal of the exterior Transite siding (an asbestos-containing material (ACM)) and replacement with corrugated sheet metal siding
- Demolition of the lean-to storage shed and drum loading platform
- Removal of roughly 2,050 ft (625 m) of 6-inch (0.15 m) diameter lubricant oil distribution piping underneath Mike Wharves M3 and M4
- Site restoration, including backfill, compaction, and fill to match existing grade inside the building

The demolition activity is expected to take approximately four months to complete. Conceptually, the tanks would be removed intact from the south (parking lot) side of the building by removing the south facing wall. The tanks and ancillary equipment would be cut into transportable pieces and loaded onto trucks within the Building 88 parking area. Typical demolition equipment would consist of large excavators with hydraulic shears and a 30-ton crane, plus trucks for hauling demolition waste. Once all the tanks have been removed, the south-facing wall would be replaced, and the site restored to its original condition.

Removal of the lubricant oil pipelines underneath Mike Wharves M3 and M4 would require a working platform or raft with debris barrier.

2.2.2 Complete Demolition

The Complete Demolition Alternative would demolish and remove Building 88 in its entirety and the lubricant oil distribution piping underneath Mike Wharves M3 and M4. This alternative would satisfy the purpose of and need for the action. However, this alternative would be more costly to implement, would remove a building with reuse potential, would have a significant adverse effect on the preservation of historic properties, and would alter the historic views along the North Road corridor.

2.2.3 No Action

The No Action Alternative assumes Building 88 would remain unutilized. The interior of Building 88 would continue to be filled to capacity by the ASTs, preventing productive reuse of the building. The No Action Alternative would not satisfy the purpose and need for the project, and was carried through in the analysis only as a benchmark against which the costs and environmental impacts of the Proposed Action could be compared.

2.3 Environmental Consequences of the Proposed Action and Alternatives Analyzed

Table 1 summarizes the environmental consequences of the Proposed Action, Complete Demolition, and the No Action Alternatives, as discussed in Chapter 4, Environmental Consequences. Table 1 also summarizes the mitigation measures for the Proposed Action.

Table 1:
Summary of Environmental Consequences of the Proposed Action and Alternatives

Resource Issue	Proposed Action	Complete Demolition	No Action
Cultural Resources	Adverse effect on historic property (interior demolition of Building 88 involves permanent removal of obsolete tanks and equipment). No effect on historic property related to Mike Wharves pipeline removal. No impact on significant historic views or archaeological resources. Mitigation: CNRH concluded consultations in accordance with 36 CFR §800 by executing a Memorandum of Agreement (MOA) that stipulates measures to minimize and mitigate the adverse effects on historic properties.	Adverse effect on historic property and permanent removal of a linking element along the North Road viewplane. No impact on archaeological resources.	No effect.
Soils, topography, groundwater, air quality, noise, marine and biological resources, utilities, storm drainage, traffic, hazardous and regulated materials, flood hazard, socio-economic factors, land use compatibility.	No significant impact. Minor demolition-period parking impacts in the area immediately surrounding the Building 88 site. No marine impacts associated with Mike Wharves pipeline removal. Action would remove the hazardous and regulated materials associated with the Building 88 tank system.	No significant impact. Minor demolition-period parking impacts in the area immediately surrounding the Building 88 site. Action would completely remove Building 88 and all hazardous and regulated materials associated with the superstructure and tank system.	No impact. Hazardous and regulated materials would remain in Building 88.

3.0 AFFECTED ENVIRONMENT

This chapter describes the environmental setting and baseline conditions of the environmental resources within the area of the Proposed Action and alternatives.

3.1 Overview

Building 88 is located in PHNC along the northwestern (harbor) side of North Road roughly in the center of Merry Point (see Figures 1 and 2). Pipelines to be removed run along the underside of Mike Wharves M3 and M4 (shown on Figure 2).

PHNC has been under almost continuous construction and redevelopment since the early 1900's to support its role in the nation's defense. Improvements started with the original 1903 - 1911 dredging to open up the harbor entrance channel and access a naval coaling station in the Oscar Pier area. By 1920, oil was replacing coal, and the distinctive triangular shape of Merry Point was created when the land area was filled and Pearl Harbor's original fueling wharves (Mike Wharves M1 – M4) were constructed in 1922. Building 88 was constructed in 1923 to store the wide range of lubricating oils then required, consistent with the petroleum fueling function at Merry Point.

Land Use Compatibility. Most of the adjoining land area on Merry Point consists of waterfront industrial uses. Berthing facilities cover two sides of the triangle and support buildings dominate the working waterfront. Most of the area not occupied by buildings is paved to support access for the movement of cargo and vehicle parking. Surrounding land uses include ship berthing at Mike Wharves M1 – M2 (along Merry Loch to the south) and M3 – M4 (along Quarry Loch to the north). Immediately east of Building 88 is Building 89, the Armed Forces Young Men's Christian Association (YMCA). To the west are Buildings 1725 (Paint Spray Booth and Powder Coating Shop), 1744 (Upholstery Shop for tarps, canvas, and fabric work), and 1631 (administrative offices, training, and small engine repair). A large parking lot lies to the south and southwest just beyond the berm of a retaining wall. On the north are Buildings 146 (FISC Pearl storage), 147 and 148 (both vacant). Within about one-quarter mile (402 m) are Merry Landing to the southeast, Bravo Wharves to the east and southeast, CRNH Headquarters to the south-southeast (Building 150), the former Submarine Base facilities to the north, and Millican Field and the Navy College to the northeast. Immediately across North Road to the south are the earthen berms which formerly surrounded middle tank farm tanks 34 and 35 (not shown on Figure 1), the Club Pearl Complex (Building 1314), Ward Field, a parking lot, and the Diosdado Rome Galley (Building 1557).

The prior use of Building 88 for lubricant oil storage is no longer compatible with existing land uses, as fueling and lubricant storage has been relocated to the Hotel Pier area. The Long Range Land Use Plan recommendations in the CNRH RSIP Overview Plan (CNRH, November 2002) envision redevelopment of the "Merry Point/Hale Moku Sub-Area" to provide an improved physical environment for a "Primary Sailor Support Area." Recommendations include establishing a "shipboard sailor classroom facility" in the Merry Point area, improved circulation pathways, centralized support facilities (including a new fitness center and running track), additional housing, parking, improved security, and landscaping improvements. Other potential future tenant uses include office space, shop use, and warehouse / storage space.

Physical Conditions (*soils, topography, groundwater, air quality, noise*). Building 88 sits on a small rise over a mudstone outcropping close to the center of Merry Point, and the building footings sit directly on the underlying mudstone. This footing area is part of the natural landform of the peninsula, whereas Mike Wharves M3 and M4 to the north are constructed on mixed fill from the dredging of Quarry and Merry Lochs, or from other nearby sources. The natural exposed bluff running between the rise under the YMCA and Building 88 is a remnant of the natural Merry Point landform.

There are no potable water aquifers underlying the project area, or perennial streams crossing the project area. However, there are several monitoring wells located around the project area (used to monitor free product plume migration from the former tank farm) to assess possible groundwater impacts. Monitoring well MW114 is present at about the middle of the north wall of Building 88 where the pipelines exit toward Merry Wharves M3 and M4 as shown on Figure 2. (This and any other nearby monitoring wells would be protected during demolition activities.) "No measurable product" was found at MW114 (Annual Groundwater Sampling and Monitoring Report, Halawa-Main Gate Geographic Study Area, 2004).

The State of Hawai'i is considered an attainment area under the Clean Air Act. Air quality criteria pollutant levels, including the PHNC, are well below State and Federal ambient air quality standards. The existing noise environment in the vicinity of the project area is consistent with industrial waterfront operations, including heavy and light material handling equipment, machinery, ongoing maintenance operations, and vehicular traffic associated with a working waterfront.

Water Quality and Marine Environment. Mike Wharves M3 and M4 are constructed along the shoreline of Quarry Loch in PHNC. The adjacent Quarry Loch bottom consists of fine grain mud and silt. Water depth in the loch is about 35 feet (10.7 m) below mean sea level although the depth under Mike Wharves is shallower. Water visibility in the area is limited due to substantial suspended sediment throughout the water column caused by transiting ship and submarine movements.

Biological Resources (*marine and terrestrial flora and fauna*). Building 88 is not adjacent to or within a biologically sensitive area, critical habitat, or wetland. There are no threatened or endangered species inhabiting areas within or adjacent to Merry Point or Quarry Loch.

Infrastructure (*utilities, storm drainage, traffic*). Building 88 and Mike Wharves M2 and M4 are serviced by existing water, wastewater, and electrical systems. As a working waterfront area, much of the surrounding ground area is paved or covered with buildings and structures, although Building 88 was constructed on bare ground and has exposed soil areas around the building perimeter. Presently, most of the runoff from Building 88 is absorbed into the surrounding unpaved areas. Stormwater from Mike Wharves M2 and M4 and adjacent impermeable areas drains to existing drainage systems which convey stormwater to the harbor via storm drains, or sheet flows across impermeable areas toward the harbor.

Primary vehicular and pedestrian access to Building 88 and Mike Wharves M2 and M4 is via North Road. Outside traffic normally accesses this area from the H-1 Freeway or Nimitz Highway via Nimitz Gate, or from Kamehameha Highway via Makalapa Gate and North Road.

Health and Safety (*hazardous and regulated materials, flood hazard*). Building 88 tanks and piping as well as pipelines running along M3 and M4 were cleaned of petroleum, oils, and lubricant (POL) products in 2003 under Clean Building 88 Project PRL 02-20. The building has been unused since that time.

No oil spills have been reported at Building 88 (DoN, March 2003). However, recent site visits by the project team revealed the presence of petroleum product in the soil underneath the interior chase/catchment trenches, as would be expected from drips, seepage past valve packing, and maintenance activities during nearly 80 years of continuous use. The extent of soil contamination is not known, but would be verified during demolition. There is a perceptible petroleum odor inside Building 88, but indoor air quality is below the permissible exposure limits and action levels for workplace exposure. However, CNRH Regional Safety Department recommends complete removal of all tanks, equipment, and petroleum-tainted soils to avoid potential long-term health risks, worker perception of contamination, and Navy liability for worker's compensation claims by sensitive individuals. CNRH Federal Fire Department inspected the building and also recommends complete removal of all tanks, piping, and any contaminated soil, citing fire safety issues as well as inspection concerns.

ACM is present in Building 88's Transite siding, and may be present in concrete or other areas. Lead-based paint (LBP) is assumed to exist on painted surfaces. There is a transformer at the southeast corner of the building (STA H-5, also shown as S1138), which was inspected recently as part of the *Site Inspection for Various Transformer Sites* in PHNC (DoN, January 2003). Polychlorinated biphenyls (PCBs) were detected on the concrete pad. The maximum total PCB concentration detected in the adjoining soil was reported as 3.48 parts per million (ppm). Action level(s) for sites in industrial areas is 10 – 25 ppm (varying according to site-specific factors related to future exposure potential), so no actions or access restrictions are required. No further action was recommended for the concrete pad. Further evaluation was recommended for soil, as Navy policy specifies continuing evaluation where soils exceed 1 ppm (DoN, January 2003).

The project area is in Zone D (undetermined flood hazard) on Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps. Civil defense information indicates that the anticipated rise in water level within Pearl Harbor due to a tsunami event would be 4 feet (1.2 m).

Socio-Economic Factors (*population; employment; effects on children, disadvantaged and minority populations*). In 2000, the population of the City and County of Honolulu (in which the project area is located) was 876,156 (U.S. Department of Commerce, 2004). In 2003, there were 8,381 active-duty shore-based Navy personnel and 12,515 Navy family members in Hawai'i (State of Hawai'i, 2004, Table 10.07). In 2003, there was an average of 420,400 nonagricultural jobs in the City and County of Honolulu (State of Hawai'i, 2004, Table 10.15). In 2003, there were about 9,293 direct-hire Navy civilian jobs in Hawai'i (State of Hawai'i, 2004, Table 10.07). Because the project area is located within a Navy installation, access to this area is restricted to Navy personnel, dependents, contractors, and invited guests. Members of the general public do not frequent the project area.

3.2 Cultural Resources

The NHPA defines historic property as "any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion in the National Register…" (16 USC 470w). For the purposes of this EA, the terms "historic properties" and "cultural resources" are used synonymously.

The Pearl Harbor Naval Complex Cultural Resources Management Plan (CRMP) (DoN, 2000) and Integrated Cultural Resources Management Plan (ICRMP) (DoN, March 2002) provide guidance for managing historic Navy properties within the Pearl Harbor area. The CRMP describes the historic resources, assigns categories (ranging from the highest preservation priority to the least) to each facility, and establishes procedures for regulatory compliance. The ICRMP uses the cultural landscape approach to analyze the spatial relationships among natural and man-made features over time. The result is designation of areas as historic management zones and their corresponding planning guidelines to protect and preserve contributing features.

Merry Point was created in 1920 when the land area was filled with material from the dredging of Merry and Quarry Lochs, and Pearl Harbor's original fueling wharves (Mike Wharves M1 through M4) were constructed by Pan-American Petroleum and Transport Company (PAPTC). In exchange for a lease on the Elk Hills oil reserve, the oil company built oil tanks and other fuel facilities for the Navy without Congressional funding, which was difficult to obtain in the post World War I period. Fuel facilities were built by PAPTC in five main areas at Pearl Harbor in 1923 and 1924: the lower, upper, and middle tank farms, Merry Point, and Ford Island (DoN, March 2002).

Building 88 was built in 1923 as a lubricant storage facility to store the wide range of lubricating oils then required prior to lubricant standardization. The interior walls, ASTs, piping, loading platform, and associated interior features are all integral to the original function of the building.

Building 88, which is located within the U.S. Naval Base PHNHL, is deemed eligible for the National Register as a contributing property to the PHNHL, and is designated as a Category II[1] facility. Building 88 is not located within a historic management zone in the ICRMP, but is identified as a visual link in a non-historic landscape between the Main Gate and Makalapa Gate. Building 88 is a visually dominant building for those traveling northbound along North Road.

Building 88 is still relatively intact. There were two additions made in 1942, a storage lean-to shed, and a drum loading platform. The existing lean-to shed, however, is not the original 1942 addition. Based on the original drawings in 1942, the sliding doors and the front wall have been removed to create an open front side. The shed was also expanded to the east end with a higher lean-to. Records of this work are not available so it is unknown when the alterations occurred. Modifications were also made to the roof over the loading platform. It is not known when the original was replaced with a new roof, posts, beams, and braces. Only the concrete platform and ramp appear to be in their original condition.

[1] The 2000 CRMP defines historic categories as follows: I = aspects of the built environment that possess major historic significance and are worthy of long-term preservation; II = possess sufficient historic significance to merit consideration for long-term preservation, but do not meet the criteria for assignment to Category I; III = possess sufficient historic significance to merit consideration in planning and consideration, but are not assignable to Category II.

Building 88 is located in an area identified in the ICRMP as having no and/or low potential for archaeological sites. The building was constructed over a natural volcanic tuff. The extensive ground disturbance from past construction activities also make it highly unlikely that archaeological resources are present.

Removal of the lubricant oil pipelines underneath Mike Wharves M3 and M4 (listed as Category IV and III, respectively) is not expected to have an impact on historic properties or the surrounding environment, so this document primarily focuses on issues and concerns relating to the interior demolition of Building 88.

4.0 ENVIRONMENTAL CONSEQUENCES

4.1 Overview

This chapter evaluates the probable direct, indirect, short-term, long-term, and cumulative impacts of the Proposed Action and two alternatives (Complete Demolition and No Action) on relevant environmental resources.

Land Use Compatibility. The Proposed Action and the Complete Demolition Alternative would facilitate the reuse of the Building 88 site. Although a future use has not been identified, it would need to be compatible with the existing industrial waterfront or planned Primary Sailor Support Area uses. No direct, indirect, short-term, or long-term land use compatibility impacts are anticipated. The No Action Alternative would not immediately affect land use, but would prevent transitioning the area to more appropriate uses based on current operational requirements.

Physical Conditions (*soils, topography, groundwater, air quality, noise*). None of the alternatives would involve changes to existing topography. None of the alternatives would impact groundwater resources.

There would be minor short-term impacts to air quality and noise as a result of demolition activities for either the Proposed Action or the Complete Demolition Alternative. Neither alternative would cause National/State Ambient Air Quality Standards to be exceeded or be subject to Prevention of Significant Deterioration / New Source Review Regulations, or New Source Performance Standards. The contractor would control airborne dust as required by the Best Management Practices (BMPs) incorporated into the demolition contract documents. Air quality monitoring would take place during demolition activities to assure compliance with all State and Federal regulations.

No significant long-term impacts to soils, topography, groundwater resources, air quality, or noise are anticipated for either the Proposed Action or the Complete Demolition Alternative. The No Action Alternative would not impact any of these resource areas.

Water Quality and Marine Environment. The Proposed Action and Complete Demolition Alternative would not cause non-point source pollution or degradation of water quality in any adjacent stream or body of water. Neither would require dewatering operations or present soil erosion runoff conditions which would require issuance of a National Pollutant Discharge Elimination System general permit. Only the removal and disposal of lubricant oil pipelines that run underneath Mike Wharves M3 and M4 would be conducted near or over the water. All other work is inland and does not present water quality concerns.

Water quality impacts would be strictly controlled and minimized to the greatest practicable extent by requiring contractors to follow the BMPs specified in construction documents. All work at Mike Wharves would be conducted above the waterline, and a platform or other barrier would be required to prevent debris from falling into navigable waters of the United States (Water). Removed material, soils, and other material would not be allowed to enter the Water, and no wash down of work areas into the Water would be permitted. The No Action Alternative would not present any of these issues.

Biological Resources (*marine and terrestrial flora and fauna*). There are no critical habitats or jurisdictional wetlands within or adjacent to the project area, and no work would be conducted in or near an ecologically sensitive area. The Building 88 site is setback slightly more than 220 feet (67 m) from the nearest harbor waters, and only the removal and disposal of POL pipelines underneath Mike Wharves M3 and M4 would be conducted near or over the water. None of the alternatives discussed would affect threatened and endangered species or impact marine or terrestrial flora and fauna. BMPs would apply to any demolition work over the water or near the shoreline. Such work would be preceded by a visual scan of the adjacent waterfront areas for protected marine species (e.g., sea turtles) before any over-water work would take place. Should any protected marine species enter Quarry Loch, demolition activity would cease until such time that the animal leaves the area under its own volition. The No Action Alternative would have no impacts to marine and terrestrial flora and fauna.

Infrastructure (*utilities, storm drainage, traffic*). The Proposed Action and Complete Demolition Alternative would slightly increase traffic and noise during the demolition period, and may slightly increase consumption of water and electricity. Stormwater drainage would not be affected, as work would be largely contained within the existing facilities footprint or underneath Mike Wharves M3 and M4. No increase in impervious surfaces is expected or likely under any alternative. Contractors would be required to follow BMPs to mitigate and strictly control non-point source pollution.

During the demolition and removal of waste materials for the Proposed Action and Complete Demolition Alternative, the demolition contractor would need to control the vehicle access and parking areas immediately surrounding Building 88 and Mike Wharves M3 and M4. Temporarily removing some parking spaces would be required as a safety measure, to provide room to maneuver the heavy demolition equipment, and to avoid possible damage to parked vehicles. The demolition contractor would provide appropriate traffic controls to minimize disruption to existing traffic flows in the Merry Point area. The No Action Alternative would have no impacts in these areas.

Health and Safety (*hazardous and regulated materials, flood hazard*). Demolition activities would include removal of hazardous and regulated materials from the project site. It is assumed that petroleum-contaminated soil would be excavated, sampled, and properly disposed of at an approved landfill. Interior restoration would consist of backfilling all depressions and trenches within the building with chemically clean, compacted fill to existing grade. Removed tanks and other metal work are expected to be cut up into manageable pieces onsite using cold methods (hydraulic shears attached to the excavator boom) with LBP in place, with appropriate controls to avoid dust or contamination of the surrounding environment or worker exposure. Metal demolition waste would be sent to a recycling facility with the coating intact. Any Transite siding (an ACM) removed in connection with this project would be replaced by corrugated sheet metal siding with a matching appearance. This would avoid replacement with an ACM, consistent with Navy policy. [2]

Low-level (3.48 ppm) PCB contamination was detected in a small soil area adjoining the transformer site at the southeast corner of Building 88. This area is outside the demolition area, and contamination is well below action levels, but the contractor would

[2] "Navy Policy is to eliminate asbestos hazards by substitution with asbestos free material . . . . Installed asbestos materials, in good condition, are not to be removed for the sole purpose of eliminating the asbestos." (DoN, July 2002).

be advised to exercise caution to avoid disturbance by vehicles which might cross over or park in the area.

Neither the Proposed Action nor the Complete Demolition Alternative would introduce hazardous and regulated materials into bodies of water, into the air, onto land or into groundwater, other than by approved landfill disposal methods in accordance with applicable State and Federal regulations. The Proposed Action and the Complete Demolition Alternative would not create additional sources of environmental contamination in the area.

All work involving hazardous and regulated materials would be conducted by qualified personnel and the appropriate mitigative measures taken to control the material, minimize releases to the environment, and to protect demolition personnel. All construction, demolition, handling, removal, and/or disposal would be implemented in accordance with applicable State and Federal regulations. All materials determined to be hazardous shall be packaged, labeled, marked, stored, transported, treated and disposed of in accordance with all applicable Federal, State and local laws and regulations.

The demolition contractor would dispose of construction and demolition waste at an approved construction and demolition landfill. Recycling and reuse measures are encouraged to divert solid waste from the landfill and minimize waste from the Proposed Action and Complete Demolition Alternative.

The No Action Alternative would have no impacts on the health and safety issues discussed above, although no action would defer cleanup of hazardous and regulated materials and would allow petroleum contaminated soils to remain inside the building.

The project area is located in Zone D (undetermined flood hazard) as designated on FEMA Flood Insurance Rate Maps; compliance with Federal floodplain management policies is not required.

Socio-Economic Factors (*population; employment; effects on children, disadvantaged and minority populations*). None of the alternatives would significantly impact long-term population or employment levels in the City and County of Honolulu, or the State of Hawai‘i. Short-term employment opportunities would be created to accomplish either the Proposed Action or the Complete Demolition alternative. The No Action Alternative would have no impacts in any of these areas. Due to its location in an industrial area with limited access, and because no significant impacts on environmental resources are expected, the alternatives would not create environmental health and safety risks that would disproportionately affect children, minority, or disadvantaged populations.

4.2 Cultural Resources

For the purposes of this analysis, significant cultural resources are those properties listed or eligible for listing in the NRHP. As defined in the implementing regulations for Section 106 of the NHPA, impacts of an undertaking on significant cultural resources are considered adverse if they "diminish the integrity of the property's location, design setting, materials, workmanship, feeling, or association" (36 CFR § 800.5(a)(1)). Examples of adverse effects include, but are not limited to, the following:

- Physical destruction, damage, or alteration of all or part of the property (36 CFR § 800.5(a)(2)(i) and (ii));
- Isolation of the property from, or alteration of the character of, the property's setting when that character contributes to the property's qualification for listing on the NRHP (36 CFR § 800.5(a)(2)(iii) and (iv));
- Introduction of visual, audible, or atmospheric elements that are out of character with the property, or alter its setting (36 CFR § 800.5(a)(2)(v));
- Neglect of a property resulting in its deterioration or destruction (36 CFR § 800.5(a)(2)(vi)); and
- Transfer, lease, or sale of the property (36 CFR § 800.5(a)(2)(v)).

The Proposed Action would have adverse effects on Building 88 due to the demolition of features that are integral to the original function of this building such as interior walls, steel aboveground ASTs, piping, and loading platform. CNRH has complied with Section 106 and Section 110(f) of the NHPA by consulting with the ACHP, State Historic Preservation Officer (SHPO), National Park Service, Historic Hawaii Foundation, and National Trust for Historic Preservation to develop measures to minimize and mitigate the adverse effects. In accordance with 36 CFR § 800.6(c), the Navy has executed a MOA with the consulting parties, which is attached to this EA as Appendix A. A summary of the stipulations is presented in Section 4.9, Means of Mitigating Adverse Effects on Cultural Resources.

Under the Proposed Action, CNRH would also fulfill its responsibility under Section 110(a)(1) of the NHPA. The interior demolition of Building 88 would make the facility available for potential reuse such as equipment storage, administrative space, or a training facility. Future adaptive reuse of Building 88 would minimize harm to the PHNHL by retaining the visual linking feature which was identified as contributing to its significance.

The Complete Demolition Alternative would have a significant adverse effect on Building 88 and on the PHNHL, as Building 88 would be totally demolished. Demolition of Building 88 would remove a visual link along the non-historic landscape between the Main Gate and Makalapa Gate, which is an area that has a low density of historic buildings. The Complete Demolition Alternative would further weaken the perception of Pearl Harbor as a single historic entity in the central base area.

No cultural resources would be adversely affected under the No Action Alternative.

4.3 Cumulative Impacts

4.3.1 Overview

Cumulative impacts on environmental resources result from the incremental effects of development and other actions, evaluated in conjunction with other government and private past, present, and reasonably foreseeable future actions. The analysis of cumulative impacts was conducted on a qualitative basis considering the objectives of the *ICRMP* (DoN, March 2002), and the *CNRH Regional Shore Infrastructure Plan (RSIP) Overview* (DoN, November 2002).

The Proposed Action would not result in significant direct or indirect adverse effects on the resource areas described in Section 4.1 above, and is not expected to contribute to cumulative impacts on those resource areas, when evaluated in conjunction with other government and private past, present and foreseeable future actions.

None of the alternatives are likely to have a significant cumulative impact on land use compatibility, but both would allow future reuse of the property. As an active Naval base, land use compatibility is determined by the long-term process of base upgrades essential to maintaining efficient operations and force readiness. The Proposed Action is part of the ongoing process of modernization, reduction of shore infrastructure costs, and reuse or elimination of underutilized facilities. None of the alternatives would alter the existing topography, impact potable water aquifers, or adversely affect biological resources. They would not result in a net increase in utility demand or traffic that is not already contemplated. The Proposed Action and the Complete Demolition Alternative would both slightly decrease long-term risks to human health and safety by reducing the presence of hazardous and regulated materials. Neither would impact long-term population and employment levels in the City and County of Honolulu or the State of Hawai‘i. None of the alternatives would disproportionately affect children, minorities, or disadvantaged populations.

The No Action Alternative would commit CNRH to the maintenance and upkeep of a vacant and functionally obsolete facility, and to continue the difficult task of finding a tenant to assume a space encumbered with obsolete 80-year-old POL equipment. The cumulative impact of these failures would be a more costly and less efficient PHNC base environment.

4.3.2 Cultural Resources

There would be no cumulative impacts on cultural resources under the Proposed Action. Potential adaptive reuse of Building 88 after interior demolition is consistent with the ICRMP guidelines to adaptively re-use existing historic facilities, where viable, before constructing new structures. The Complete Demolition Alternative, on the other hand, would contribute to cumulative impacts on cultural resources because complete demolition of Building 88 would further reduce the number of existing properties that contribute to the significance of the PHNHL. There would be no cumulative impacts associated with removing pipelines from Mike Wharves.

The No Action Alternative would have no cumulative impacts on historic resources.

4.4 Possible Conflicts between the Proposed Action and the Objectives of Federal Land Use Policies, Plans, and Controls

4.4.1 Commander, Navy Region Hawaii Regional Shore Infrastructure Plan Overview

The RSIP Overview Plan is intended to direct future planning and management decisions. The guiding principles of the plan emphasize:

- Protection of operational capabilities and mission readiness
- Reduction of shore infrastructure costs and the reuse, divestiture or demolition of underutilized facilities
- Optimized land use/facility locations

The RSIP Overview Long Range Land Use Plan (LRLUP) recommendations envision redevelopment of the "Merry Point/Hale Moku Sub-Area" to provide an improved physical environment for a "Primary Sailor Support Area." Recommendations include establishing a "shipboard sailor classroom facility" in the Merry Point area, improved circulation pathways, centralized support facilities (including a new fitness center, running track, and classroom), additional housing, parking, improved security, and landscaping improvements.

The Proposed Action and Complete Demolition Alternative are both consistent with the guiding principles of the RSIP Overview Plan. Both alternatives would also create opportunities to support the LRLUP vision of providing an improved physical environment for a "Primary Sailor Support Area," although the specific future use of Building 88 and its site have not been determined at this time.

The No Action Alternative is not consistent with the RSIP guiding principles.

4.4.2 Integrated Cultural Resources Management Plan

The ICRMP designates historic management zones and planning guidelines to protect and preserve their contributing features. The Proposed Action is consistent with the ICRMP goal to "reduce infrastructure costs and prolong the useful life of historic buildings whenever feasible" (DoN, March 2002, p. 1-2). It seeks to maintain Building 88 in a continuing working role as part of the PHNC landscape, preserving the building structure after restoring the building to its original footprint. This retains the contributing feature identified in the ICRMP, preserving the visual linking element along the North Road view corridor. The Complete Demolition Alternative would remove Building 88 and eliminate this prominent visual link. The No Action Alternative would preserve the visual link and leave the building interior undisturbed, maximizing historic preservation, but would not allow Building 88 to assume a new role to "prolong the useful life" of the building.

4.4.3 Coastal Zone Management Act

CNRH has determined that none of the alternatives would have reasonably foreseeable direct or indirect effects on any coastal use or resource of the State's coastal zone. Therefore, no documentation is required to be submitted to the Hawai'i Coastal Zone Management Program Office.

4.5 Relationship of Short-Term Uses and Long-Term Productivity

This section lists the trade-offs between short-term and long-term gains and losses due to the Proposed Action. "Short-term" refers to the construction period; "long-term" refers to the operational period.

The Proposed Action and Complete Demolition Alternative would have the following short- and long-term gains and losses:

Short-term

- Short-term parking dislocation during demolition activities with occasional minor increases in noise levels from equipment operation.
- Short-term community economic gains associated with construction-period employment.

Long-term

- Long-term loss of historic integrity by removal of interior equipment offset by long-term retention of this key linking element in the visual landscape of the Pearl Harbor waterfront area (Proposed Action). The Complete Demolition Alternative would result in a permanent loss of this prominent linking element.
- Long-term economic gains by facilitating productive reuse of the site (Proposed Action).
- Long-term reduction in shore infrastructure by demolition of underutilized infrastructure.

The Complete Demolition Alternative would provide for complete removal of hazardous and regulated materials and more flexible reuse of the site (especially for higher occupancy uses), but it would not allow productive reuse of the building to retain the visual link in the PHNC landscape.

The No Action Alternative would preserve an obsolete, vacant, and unproductive facility at this strategically located waterfront site.

4.6 Irreversible and Irretrievable Commitment of Resources

Resources that are committed irreversibly or irretrievably are those that cannot be recovered if the action is implemented. Both the Proposed Action and the Complete Demolition Alternative would irretrievably and irreversibly affect historic property. Both the Proposed Action and the Complete Demolition Alternative would utilize fiscal resources, labor, construction equipment, and materials to permit the efficient retasking of Building 88 – or its site – for productive reuse.

The Complete Demolition Alternative would completely demolish and remove Building 88, irreversibly and irretrievably losing the potential to productively reuse the building.

There would be no change under the No Action Alternative. No Action would avoid the immediate commitment of fiscal resources, but would permit the continuing deterioration of Building 88, and commit to the continuing financial and management drain of sustaining an obsolete facility with little likelihood of productive use.

4.7 Energy Requirements and Conservation Potential

The Proposed Action and Complete Demolition Alternatives would have an insignificant net increase in the energy budget for PHNC during demolition. The No Action Alternative would avoid additional energy use for demolition, but would require sustainment and only postpone energy use for inevitable demolition.

The Proposed Action and Complete Demolition Alternatives would also comply with the following Executive Orders relating to energy conservation:

4.7.1 Executive Order 13101, Greening the Government through Waste Prevention, Recycling, and Federal Acquisition

Executive Order 13101 (14 September 1998) is intended to improve the Federal government's use of recycled products and environmentally preferable products and services. It states that pollution that cannot be prevented or recycled should be treated in an environmentally safe manner. Disposal should be employed only as a last resort.

Both the Proposed Action and Complete Demolition Alternatives would incorporate efficient waste handling and provisions for recycling waste products. Demolition debris and construction waste would be recycled to the maximum extent possible. Under the Proposed Action, the majority of the demolition waste is steel, and can be readily recycled. Reuse of the building also minimizes wastes requiring recycling or disposal. Under the Complete Demolition Alternative, a greater amount of material (steel framing and additional material from concrete roofing and siding (an ACM)) would be recycled. The remaining demolition debris and waste that cannot be economically recycled would be disposed of at an approved construction and demolition landfill by the contractor. The No Action Alternative would create no waste in the short-term.

4.7.2 Executive Order 13123, Greening the Government through Efficient Energy Management

Executive Order 13123 (3 June 1999) requires the Federal government to improve its energy management for the purpose of saving taxpayer dollars and reducing emissions that contribute to air pollution and global climate change. Federal agencies are required to reduce greenhouse gas emissions; reduce energy consumption per square foot of facility; strive to expand use of renewable energy; reduce the use of petroleum within its facilities; and reduce water consumption.

There is little significant difference in short-term energy usage between the Proposed Action and Complete Demolition Alternatives. The No Action alternative would not change energy usage.

4.8 Compliance with Other Executive Orders

This section describes how the Proposed Action, the Complete Demolition Alternative, and the No Action Alternative comply with other relevant Executive Orders.

4.8.1 Executive Order 12898, Environmental Justice

Executive Order 12898 (11 February 1994) and Secretary of the Navy Notice 5090 (27 May 1994) require the Navy to identify and address the potential for disproportionately high and adverse human health and environmental effects of their actions on minority and low-income populations.

The subject facility is located in an industrialized area along the working waterfront within PHNC, an active military installation. The general population is that of a working military base. None of the alternatives are expected to adversely impact minority or low-income populations or housing, or raise environmental justice concerns.

4.8.2 Executive Order 13045, Protection of Children from Environmental Health Risks and Safety Risks

Executive Order 13045 (21 April 1997) requires Federal agencies to make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children; and ensure that its policies, programs, activities, and standards address disproportionate risks to children that result from environmental health or safety risks.

Children do not frequent the project site, which is a controlled-access (secured) location. While there are hazardous materials at this site, under the Proposed Action and Complete Demolition Alternatives, hazardous or regulated materials removal and disposal would be performed in a manner which would minimize exposure or release to the environment, in accordance with State and Federal requirements. None of the alternatives would be likely to directly or cumulatively introduce hazardous or regulated materials into bodies of water, into the air, onto land or into groundwater in any manner other than by landfilling in a manner in full compliance with State and Federal requirements. Under the No Action Alternative, any hazardous materials present in the facility would not be disturbed and would remain in the building.

4.8.3 Executive Order 13148, Greening the Government through Leadership in Environmental Management

Executive Order 13148 (21 April 2000) requires Federal agencies to meet goals and requirements in the following areas: environmental management; environmental compliance; right-to-know and pollution prevention; release and use reductions of toxic chemicals and hazardous substances; reductions in ozone-depleting substances; and environmentally beneficial landscaping.

Under the Proposed Action and Complete Demolition Alternatives, removal and disposal of demolition or construction debris containing hazardous substances would be performed according to State and Federal requirements in order to minimize potential harm to humans and the environment from the release of pollutants, reducing long-term environmental risk. Under the No Action Alternative, any hazardous materials present in the facility would not be disturbed and would remain in the building.

4.9 Means of Resolving Potentially Adverse Effects on Cultural Resources

This EA identified adverse effects on cultural resources from the Proposed Action. The MOA (Appendix A) stipulates measures to minimize and mitigate the adverse effects on Building 88. Key measures are summarized below.

4.9.1 Documentation

Prior to demolition, CNRH shall complete a Level III photo documentation of Building 88 in accordance with the Historic American Buildings Survey (HABS) standards and specifications (Federal Register Vol. 68, No. 139, pp. 43159-43162, 2003). The HABS shall be carried out by or under the direction of an architectural historian or historical architect who meets the professional qualifications for Architectural Historian or Historical Architect under the Secretary of the Interior's Historic Preservation Professional Qualification Standards (Federal Register Vol. 62, No. 119, pp. 33713-33714, 33719, 1997). The recordation shall include available existing drawings including elevations, plans, section, significant building details, building description and its historical context, and large format photography in archivally stable, black-and-white photographs of all views and important interior and exterior details of the structure. SHPO will have 30 calendar days from date of receipt to review the draft HABS submittal. The original report will be submitted to the Library of Congress through the National Park Service. Copies of the HABS report will be provided to the SHPO and any requesting party.

4.9.2 Implementation Work Plans

A. CNRH will provide Implementation Work Plans at 50% and 95% levels to the parties of this MOA for a 14-day review. If requested by SHPO, CNRH will convene a teleconference among interested consulting parties or meet with local parties to review comments. Based on the extent of the review comments at 95% level, any party to this MOA may request additional review in writing at the 100% level.

B. Best management practices including the completion of a structural analysis will be implemented to ensure that structural integrity of Building 88 is maintained during and after demolition work.

C. The corrugated metal siding that will be used as replacement siding along the south wall will be painted with color that matches the existing color of the building.

4.9.3 Interpretive Display

A. CNRH shall ensure that proposed adaptive re-use of Building 88 will include the development and installation of a static interpretive display consisting of graphics, old photographs, oral history from former employees (if available), and other historical information regarding the function of Building 88. If adaptive re-use is proposed while this MOA is in effect, the proposed design, text and materials of the display will be submitted to the parties of this MOA for a 30-day review and comment period. CNRH will consider comments received during this review period before it finalizes the display.

B. CNRH will consider salvaging one or two ASTs to be incorporated into the interpretive display.

5.0 AGENCIES CONSULTED

Federal

Advisory Council on Historic Preservation
National Park Service

State of Hawai‘i

Department of Land and Natural Resources, State Historic Preservation Officer

Other

Historic Hawai‘i Foundation
National Trust for Historic Preservation

6.0 REFERENCES

Department of the Navy (DoN). CNRH. *Commander, Navy Region Hawaii Regional Shore Infrastructure Plan (RSIP) Overview Plan*. Prepared by Helber Hastert & Fee, Planners under contract with Pacific Division, Naval Facilities Engineering Command. November 2002.

_____CNRH. Final Programmatic Environmental Impact Statement Ford Island Development Pearl Harbor, Hawai'i. Prepared by Belt Collins Associates. January 2002.

_____CNRH. *Integrated Cultural Resources Management Plan for Pearl Harbor Naval Complex* (ICRMP). Prepared by Helber Hastert & Fee, Planners under contract with Pacific Division, Naval Facilities Engineering Command. March 2002.

_____CNRH. *Pearl Harbor Naval Complex Cultural Resources Management Plan* (CRMP). Prepared by Paul H. Rosendahl, PhD. Inc., et al. under contract with Pacific Division, Naval Facilities Engineering Command. August 2000.

_____CNRH. *Pearl Harbor Naval Complex Integrated Natural Resources Management Plan*. Prepared by Helber Hastert & Fee, Planners under contract with Pacific Division Naval Facilities Engineering Command. October 2001.

_____CNRH. *Programmatic Agreement Regarding Navy Undertakings in Hawai'i* (Programmatic Agreement among the Commander, Navy Region Hawaii, the Advisory Council on Historic Preservation, and the Hawai'i State Historic Preservation Officer regarding Navy Undertakings in Hawai'i), dated June 2003, executed July 2003.

_____CNRH. *Memorandum of Agreement between the Commander, Navy Region Hawaii, and the Hawai'i State Historic Preservation Officer Regarding Proposed Building 88 Interior Demolition*, dated May 2005.

_____Office of the Chief of Naval Operations. *Chief of Naval Operations Instruction (OPNAVINST) 5090.1B, CH-4, Environmental and Natural Resources Program Manual*. June 2003.

_____Office of the Chief of Naval Operations. *Chief of Naval Operations Instruction (OPNAVINST) 5100.23F, Navy Occupational Safety and Health Program Manual*. Chapter 17, Asbestos Control, Section 1702(b). 15 July 2002. Available at: http://www-nehc.med.navy.mil/od/Documents/5100.23f/CH17_23F.pdf

_____Naval Facilities Engineering Command, Pacific. *Annual Groundwater Sampling and Monitoring Report, Halawa-Main Gate Geographic Study Area*. November 2004.

_____Naval Facilities Engineering Command. *Safety and Health* web site, *Topics – Asbestos*. Available at: http://www.navfac.navy.mil/safety/site/topics/asbmgt.htm.

_____Pacific Division Naval Facilities Engineering Command. *Remedial Investigation Draft Report for Subsurface Fuel Investigation Naval Base (NAVBASE) Pearl Harbor, Hawaii. Volume I: Technical Report – Part I, October 1996*. Prepared by Ogden Environmental and Energy Services Co., Inc. Figure 3-3 "Site Plan: Petroleum Distribution, Electrical, Drain, and Sewer Systems, NAVBASE, Pearl Harbor", drawing dated 10/24/96.

_____Pacific Division Naval Facilities Engineering Command. *Site Inspection, Various Transformer Sites, Pearl Harbor Naval Complex, Oahu, Hawaii.* Prepared by Earth Tech, Inc. January 2003.

_____Pacific Division Naval Facilities Engineering Command. *Site Summary Report: Halawa-Main Gate Geographic Study Area, Pearl Harbor Naval Complex, Oahu, Hawaii.* Prepared by Earth Tech, Inc. March 2003.

Federal Emergency Management Agency. *Flood Insurance Rate Map.* Map No. 15003C0335 E. November 2000.

Hawai'i, State of. Department of Business, Economic Development and Tourism. *2003 State of Hawai'i Data Book: A Statistical Abstract*. Available at: http://www3.hawaii.gov/dbedt/images/User_FilesImages/databook/db03/Section_10_all_a1012.pdf.

_____Department of Health. *2003 Annual Summary Hawai'i Air Quality Data.* Available at: http://www.hawaii.gov/health/environmental/air/air/cab/cabmaps/pdf/databook2003.pdf

U.S. Department of Commerce, U.S. Census Bureau. *Table P-1. Total Population*. Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data. Geographic Area: Honolulu County, Hawai'i. Available at: http://factfinder.census.gov.

U.S. Environmental Protection Agency. *National Ambient Air Quality Standards.* Available at: http://www.epa.gov/air/criteria.html and http://www.scorecard.org/env-releases/def/cap_naaqs.html (accessed January 2005).

7.0 LIST OF PREPARERS

Naval Facilities Engineering Command (NAVFAC) Hawaii

Environmental

Supervisory Environmental Engineer	Peter Nakamura, P.E. B.S. Civil Engineering
Planner-in-Charge	Andy D. Huang, P.E. B.S. Civil Engineering M.S. Environmental Engineering

NAVFAC Pacific

Environmental Planning Division

Supervisory Environmental Engineer	Connie Chang, P.E. M.S. Mechanical Engineering
Supervisory Archaeologist	Annie Griffin M.A. Anthropology

Helber Hastert & Fee, Planners, Inc.

Principal EA Author/Project Manager	Thomas A. Fee, AICP M.A. Urban Planning
Contributing Author	Charles Willson M.Ed. Environmental Education

APPENDIX A

MEMORANDUM OF AGREEMENT

MEMORANDUM OF AGREEMENT (MOA) BETWEEN THE COMMANDER NAVY REGION HAWAII AND THE HAWAII STATE HISTORIC PRESERVATION OFFICER REGARDING PROPOSED BUILDING 88 INTERIOR DEMOLITION PEARL HARBOR NAVAL COMPLEX, HAWAII

WHEREAS, Commander Navy Region (COMNAVREG) Hawaii proposes the project "Building 88 Interior Demolition" at Pearl Harbor Naval Complex (hereafter as Undertaking); and

WHEREAS, the Undertaking would require removal and demolition of interior features such as 56 aboveground steel tanks (hereafter "Tanks") and concrete tank supports; catwalks, handrails and non-structural supports; concrete slab, underground piping and miscellaneous equipment; walls, doors and frames; demolition of the exterior additions; removal and replacement of the corrugated transite panels along the south wall with new material; and removal and re-installation of windows in "as is" condition along the south wall; and

WHEREAS, COMNAVREG Hawaii has established the Undertaking's area of potential effects (APE) defined at 36 CFR § 800.16(d) to be the limits of the project area as depicted in Attachment A; and

WHEREAS, COMNAVREG Hawaii has determined that the Undertaking may have adverse effects on Building 88, which is a structure deemed eligible for listing in the National Register of Historic Properties as contributing property to the U.S. Naval Base Pearl Harbor National Historic Landmark. Further, Building 88, a Category II facility in the Pearl Harbor Cultural Resources Management Plan, is designated in the Pearl Harbor Integrated Cultural Resources Management Plan as a linking element in a non-historic landscape between the Main Gate and Makalapa Gate; and

WHEREAS, pursuant to 36 CFR §800.6(c)(2), COMNAVREG Hawaii has invited National Trust for Historic Preservation (NTHP) and Historic Hawaii Foundation (HHF), to sign this MOA as concurring parties; and

WHEREAS, COMNAVREG Hawaii has consulted with the Hawaii State Historic Preservation Officer (SHPO) in accordance with Section 106 of the National Historic Preservation Act (NHPA) and its implementing regulations (36 CFR Part 800) to resolve the adverse effects on historic properties; and

WHEREAS, pursuant to 36 CFR §800.6(a)(1)) and Section 110(f) of the NHPA, 16 U.S.C. 470h-2(f), COMNAVREG Hawaii has notified the Advisory Council on Historic Preservation (ACHP) and ACHP declined to participate in the consultation; and

WHEREAS, COMNAVREG Hawaii has notified the Secretary of the Interior pursuant to 36 CFR § 800.10(c) and invited the Secretary to concur in this agreement; and

NOW, THEREFORE, COMNAVREG Hawaii and the Hawaii SHPO agree that upon COMNAVREG Hawaii's decision to proceed with the Undertaking, COMNAVREG Hawaii shall ensure that the following stipulations are implemented in order to take into account the effects of the Undertaking on historic properties.

Stipulations

COMNAVREG Hawaii shall ensure that the following stipulations are implemented:

I. DOCUMENTATION

Prior to demolition, COMNAVREG Hawaii shall complete a Level III photo documentation of Building 88 in accordance with the Historic American Buildings Survey (HABS) standards and specifications (Federal Register Vol. 68, No. 139, pp. 43159-43162, 2003). The HABS shall be carried out by or under the direction of an architectural historian or historical architect who meets the professional qualifications for Architectural Historian or Historical Architect under the Secretary of the Interior's Historic Preservation Professional Qualification Standards (Federal Register Vol. 62, No. 119, pp. 33713-33714, 33719, 1997). The recordation shall include available existing drawings including elevations, plans, section, significant building details, building description and its historical context, and large format photography in archivally stable, black-and-white photographs of all views and important interior and exterior details of the structure. SHPO will have 30 calendar days from date of receipt to review the draft HABS submittal. The original report will be submitted to the Library of Congress through the National Park Service. Copies of the HABS report will be provided to the SHPO and any requesting party.

II. Implementation Work Plans

A. COMNAVREG Hawaii will provide Implementation Work Plans at 50% and 95% levels to the parties of this MOA for a 14-day review. If requested by SHPO, COMNAVREG Hawaii will convene a teleconference among interested consulting parties or meet with local parties to review comments. Based on the extent of the review comments at 95% level, any party to this MOA may request additional review in writing at the 100% level.

B. Best management practices including the completion of a structural analysis which will be implemented to ensure that structural integrity of Building 88 is maintained during and after demolition work.

C. The corrugated metal siding that will be used as replacement siding along the south wall will be painted with color that matches the existing color of the building.

III. INTERPRETIVE DISPLAY

A. COMNAVREG Hawaii shall ensure that future adaptive re-use of Building 88 will include the development and installation of a static interpretive display consisting of graphics, old photographs, oral history from former employees (if available), and other historical information regarding the function of Building 88. If adaptive re-use is proposed while this MOA is in effect, the proposed design, text and materials of the display will be submitted to the parties of this MOA for a 30-day review and comment period. COMNAVREG Hawaii will consider comments received during this review period before it finalizes the display.

B. COMNAVREG Hawaii will consider salvaging one or two Tanks to be incorporated into the interpretive display.

IV. PRESERVATION MEASURES

A. It is a standard provision of construction contracts for a contractor to be responsible for the repair or restoration to the original or better condition of a site or facility that was inadvertently damaged during construction work. Any replacement or repair necessary will be reviewed by SHPO. This provision will be included as part of the demolition contract.

B. COMNAVREG Hawaii will consider the preservation of the interior open space and original clerestory windows when reviewing potential adaptive re-uses of Building 88.

C. COMNAVREG Hawaii will inform all potential users of the historical significance of Building 88 as a visually prominent historic building along North Road, as well as the importance of preserving the character-defining features of the building such as the interior atrium space below the existing skylight. In consultation with SHPO, COMNAVREG Hawaii will work with the potential user to identify preservation measures for incorporation into the project design.

V. Discoveries.

A. If during the performance of the Undertaking, previously unidentified historic properties are discovered within the APE, or previously unanticipated effects occur to known historic properties within the APE, COMNAVREG Hawaii shall make reasonable efforts to avoid, minimize or mitigate adverse effects to such properties. COMNAVREG Hawaii shall determine actions that can be taken to resolve adverse effects, and notify the Hawaii SHPO and any Native Hawaiian organization that has requested to be notified within 48 hours of the discovery by telephone, followed by written notification to be sent by facsimile. The notification shall include an assessment of National Register eligibility and proposed actions to resolve potential adverse effects.

B. The Hawaii SHPO and any Native Hawaiian organization that has requested to be notified shall respond within 48 hours of the telephone notification. All access by representatives of these organizations will be subject to reasonable requirements for identification, escorts (if necessary), safety, and other administrative and security procedures.

C. COMNAVREG Hawaii will take into account recommendations regarding National Register eligibility and proposed actions, and then carry out appropriate actions. Should such actions include archaeological investigations, these actions will be carried out by or under the direct supervision of a person or persons meeting, at the minimum, the Secretary of the Interior's Professional Qualification Standards (Federal Register, Vol. 62, No. 119, page 33712, June 20, 1997) for Archaeologists. COMNAVREG Hawaii shall provide the Hawaii SHPO and any Native Hawaiian organization that has requested to be notified with a report of the actions when they are completed.

VI. Resolving Objections.

A. Should the Hawaii SHPO or any consulting party object in writing to COMNAVREG Hawaii regarding how the proposed Undertaking is carried out or the manner in which the terms of this MOA are carried out, COMNAVREG Hawaii shall consult with the objecting party to resolve the objection. If COMNAVREG Hawaii determines that the objection cannot be resolved, COMNAVREG Hawaii shall forward all documentation relevant to the dispute to the ACHP, including COMNAVREG Hawaii's proposed response to the objection. Within thirty days after receipt of all pertinent documentation, the ACHP will:

1. Advise COMNAVREG Hawaii that it concurs with COMNAVREG Hawaii's proposed response, whereupon COMNAVREG Hawaii shall respond to the objection accordingly; or

2. Provide COMNAVREG Hawaii with recommendations pursuant to 36 CFR § 800.2(b)(2) which COMNAVREG Hawaii shall take into account in reaching a final decision regarding the dispute; or

3. Notify COMNAVREG Hawaii that it will comment pursuant to 36 CFR § 800.7(c) and proceed to comment on the subject in dispute.

B. Should the ACHP not exercise one of the above options within thirty days after receipt of all pertinent documentation, COMNAVREG Hawaii may assume that the ACHP concurs in the proposed response to the objection.

C. COMNAVREG Hawaii shall take into account the ACHP's recommendation or comment provided in accordance with this stipulation with reference only to the subject objection. COMNAVREG Hawaii's responsibility to carry out all actions under this MOA that are not the subject of the objection shall remain unchanged.

VII. Amendments.

The Hawaii SHPO may propose to COMNAVREG Hawaii that this MOA be amended, whereupon COMNAVREG Hawaii shall consult to consider such an amendment. 36 CFR § 800.6(c)(1) shall govern the execution of any such amendment.

VIII. Termination.

If any Signatory determines that the terms of this MOA cannot be or are not being carried out, the Signatories shall consult to seek amendment of this MOA. If this MOA is not amended, any Signatory may terminate it. COMNAVREG Hawaii shall request comments from ACHP under 36 CFR § 800.7(a).

IX. Duration.

This MOA shall terminate at the completion of the Undertaking or until terminated under Stipulation VIII. COMNAVREG Hawaii will notify all parties to the MOA in writing when its actions have been completed and that the MOA has been terminated.

X. Anti-Deficiency.

The Anti-Deficiency Act, 31 USC §1341, prohibits federal agencies from incurring an obligation of funds in advance of or in excess of available appropriations. Accordingly, the parties agree that any requirements for the obligation of funds arising from the terms of this agreement shall be subject to the availability of appropriated funds for that purpose, and that this agreement shall not be interpreted to require the obligation or expenditure of funds in violation of the Anti-Deficiency Act.

Execution of this MOA by COMNAVREG Hawaii and the Hawaii SHPO, and its filing with ACHP pursuant to 36 CFR § 800.6(b)(1)(iv) shall be considered an agreement with the ACHP for the purposes of Section 110(l) of the NHPA. Execution and submission of this MOA, and implementation of its terms evidences that COMNAVREG Hawaii has afforded the ACHP an opportunity to comment on the Undertaking and its effects on historic properties, and that COMNAVREG Hawaii has taken into account the effects of the Undertaking on historic properties.

SIGNATORIES:

COMMANDER, NAVY REGION HAWAII

By: _____ Date: _____

STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: 6-13-05

CONCURRING PARTIES:

NATIONAL TRUST FOR HISTORIC PRESERVATION

By: _____ Date: _____

HISTORIC HAWAII FOUNDATION

By: _____ Date: _____

NATIONAL PARK SERVICE

By: _____ Date: _____

SIGNATORIES:

COMMANDER, NAVY REGION HAWAII

By: _____ Date: _____

STATE HISTORIC PRESERVATION OFFICER

By: _____ Date: _____

CONCURRING PARTIES:

NATIONAL TRUST FOR HISTORIC PRESERVATION

By: _____ Date: _____

HISTORIC HAWAII FOUNDATION

By: _____ Date: 6/7/05

NATIONAL PARK SERVICE

By: _____ Date: